

Town Board Minutes

Meeting No. 31

Regular Meeting

October 3, 2005

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A Regular Meeting of the Town Board of the Town of Lancaster, Erie County, New York, was held at the Town Hall at 21 Central Avenue, Lancaster, New York on the 3rd day of October, 2005 at 8:00 P.M. and there were

PRESENT: DANIEL AMATURA, COUNCIL MEMBER
MARK MONTOUR, COUNCIL MEMBER
RONALD RUFFINO, COUNCIL MEMBER
DONNA STEMPNIAK, COUNCIL MEMBER
ROBERT GIZA, SUPERVISOR

ABSENT: NONE

ALSO PRESENT: JOHANNA COLEMAN, TOWN CLERK
ROBERT LABENSKI, TOWN ENGINEER
RICHARD SHERWOOD, TOWN ATTORNEY
LEONARD CAMPISANO, ASSISTANT BUILDING INSPECTOR
GARY STOLDT, CHIEF OF POLICE
TERRENCE McCracken, GENERAL CREW CHIEF
RICHARD REESE JR., HIGHWAY SUPERINTENDENT

EXECUTIVE SESSION:

UPON MOTION DULY MADE BY COUNCIL MEMBER RUFFINO,
SECONDED BY COUNCIL MEMBER MONTOUR, to deliberate in Executive Session for the
announced purpose of discussing the contract with the fire department, which resulted as follows:

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

At 11:25 P.M., the Town Board reconvened with all members present. The
Town Clerk reported that no official actions were taken by the Town Board in Executive Session.

PERSONS ADDRESSING TOWN BOARD:

Beutler, Daniel, 26 Tyler Street, spoke to the Town Board on the following matter:

- possibility of Depew Police Department merger with the Town of Lancaster Police Department

Chowaniec, Lee, 93 Northwood Drive, spoke to the Town Board on the following matter:

- Pleasant Meadows Subdivision

Symer, Donald, 610 Columbia Avenue, spoke to the Town Board on the following matter:

- Proposed Local Law regarding nonconforming use
- home occupations

Schneggenberger, Roy, 87 Stony Road, spoke to the Town Board on the following matters:

- Special Use Permits for a home occupation
- tax rates
- F.O.I.L.'S
- salaries

PUBLIC HEARING SCHEDULED FOR 8:30 P.M.:

At 8:30 P.M., the Town Board held a Public Hearing to hear all interested persons upon an application for a Special Use Permit by Besroi Roofing & Siding for outdoor storage on premises located at 5434 Genesee Street.

The affidavits of publication of this Public Hearing are on file and a copy of the Legal Notice has been posted.

NAME	ADDRESS	Proponent/ Opponent/ Comments/Questions
Dave Tabaczynski representing Besroi Roofing & Siding	5435 Genesee Street	Proponent

ON MOTION BY COUNCIL MEMBER RUFFINO, AND SECONDED BY COUNCIL MEMBER AMATURA, FOR ADJOURNMENT OF THE PUBLIC HEARING, which resulted as follows:

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

The Public Hearing was adjourned at 8:37 P.M.

The Town Board, later in the meeting, adopted a resolution, hereinafter spread at length in these minutes, taking favorable action upon this matter.

October 3, 2005

PUBLIC HEARING SCHEDULED FOR 8:35 P.M.:

At 8:37 P.M., the Town Board held a Public Hearing to hear all interested persons upon proposed uses of Federal Community Development Funds.

The affidavits of publication of this Public Hearing are on file and a copy of the Legal Notice has been posted.

NAME	ADDRESS	SUGGESTIONS:
Don Symer	610 Columbia Avenue	Lateral connections to Sewer District # 2
Roy Schneggenburger	87 Stony Road	Sidewalks on Stony Road

ON MOTION BY COUNCIL MEMBER AMATURA, AND SECONDED BY COUNCIL MEMBER RUFFINO, FOR ADJOURNMENT OF THE PUBLIC HEARING, which resulted as follows:

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

The Public Hearing was adjourned at 8:47 P.M.

The Supervisor informed those present that the Town Board would reserve decision on this matter.

October 3, 2005

PUBLIC HEARING SCHEDULED FOR 8:40 P.M.:

At 8:47 P.M., the Town Board held a Public Hearing to hear all interested persons upon a proposed amendment to the Zoning Map of the Town of Lancaster for proposed senior citizen housing on Bradley Drive.

The affidavits of publication of this Public Hearing are on file and a copy of the Legal Notice has been posted.

NAME	ADDRESS	Proponent/ Opponent/ Comments/Questions
Mike Jordan	Clover Development	Proponent
Dan Beutler	26 Tyler Street	Opponent
Carol Suckow	39 Stutzman Road	Proponent
David Mayback	29 Stutzman Road	Proponent
Brett Halter	641 Harris Hill Road	Opponent
Lee Chowanice	93 Northwood Drive	Opponent
Richard Korez	4946 William Street	Opponent
Tom Breski	652 Harris Hill Road	Opponent
Roy Schneggenburger	87 Stony Road	Comments
Linda Poss	1 Bradley Drive	Opponent
Brian Davis	635 Harris Hill Road	Opponent
Ross Runlan	Clover Development	Proponent
Valentina Matuch	5 Bradley Drive	Opponent

ON MOTION BY COUNCIL MEMBER MONTOUR, AND SECONDED BY COUNCIL MEMBER AMATURA, FOR ADJOURNMENT OF THE PUBLIC HEARING, which resulted as follows:

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STERNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

The Public Hearing was adjourned at 10:00 P.M.

The Supervisor informed those present that the Town Board would reserve decision on this matter.

October 3, 2005

PUBLIC HEARING SCHEDULED FOR 8:40 P.M.:

At 8:47 P.M., the Town Board held a Public Hearing to hear all interested persons upon a proposed amendment to the Zoning Map of the Town of Lancaster for proposed senior citizen housing on Bradley Drive.

The affidavits of publication of this Public Hearing are on file and a copy of the Legal Notice has been posted.

NAME	ADDRESS	Proponent/ Opponent/ Comments/Questions
Mike Jordan	Clover Development	Proponent
Dan Beutler	26 Tyler Street	Opponent
Carol Suckow	39 Stutzman Road	Proponent
David Mayback	29 Stutzman Road	Proponent
Brett Halter	641 Harris Hill Road	Opponent
Lee Chowanice	93 Northwood Drive	Opponent
Richard Korez	4946 William Street	Opponent
Tom Breski	652 Harris Hill Road	Opponent
Roy Schneggenburger	87 Stony Road	Comments
Linda Poss	1 Bradley Drive	Opponent
Brian Davis	635 Harris Hill Road	Opponent
Ross Runlan	Clover Development	Proponent
Valentina Matuch	5 Bradley Drive	Opponent

ON MOTION BY COUNCIL MEMBER MONTOUR, AND SECONDED BY COUNCIL MEMBER AMATURA, FOR ADJOURNMENT OF THE PUBLIC HEARING, which resulted as follows:

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPLAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

The Public Hearing was adjourned at 10:00 P.M.

The Supervisor informed those present that the Town Board would reserve decision on this matter.

October 3, 2005

PUBLIC HEARING SCHEDULED FOR 8:45 P.M.:

At 10:00 P.M., the Town Board held a Public Hearing to hear all interested persons upon the proposed development of Larkspur East Patio Homes Subdivision.

The affidavits of publication of this Public Hearing are on file and a copy of the Legal Notice has been posted.

NAME	ADDRESS	Proponent/ Opponent/ Comments/Questions
Marjori Schillo	7 Primrose Lane	Proponent
Don Symer	610 Columbia Avenue	Question

ON MOTION BY COUNCIL MEMBER MONTOUR , AND SECONDED BY COUNCIL MEMBER AMATURA, FOR ADJOURNMENT OF THE PUBLIC HEARING, which resulted as follows:

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPNIK	VOTED YES
SUPERVISOR GIZA	VOTED YES

The Public Hearing was adjourned at 10:25 P.M.

The Supervisor informed those present that the Town Board would reserve decision on this matter.

October 3, 2005

PUBLIC HEARING SCHEDULED FOR 8:50 P.M.:

At 10:25 P.M., the Town Board held a Public Hearing to hear all interested persons upon a proposed Local Law of the Year 2005 entitled "Nonconforming Uses".

The affidavits of publication of this Public Hearing are on file and a copy of the Legal Notice has been posted.

NAME	ADDRESS	Proponent/ Opponent/ Comments/Questions
Tim Abati	79 Jerome Court Cheektowaga	Proponent
Steve Perna	551 Lake Avenue	Proponent

ON MOTION BY COUNCIL MEMBER RUFFINO, AND SECONDED BY COUNCIL MEMBER STEMPNIAK, FOR ADJOURNMENT OF THE PUBLIC HEARING, which resulted as follows:

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

The Public Hearing was adjourned at 10:27 P.M.

The Town Board, later in the meeting, adopted a resolution, hereinafter spread at length in these minutes, taking favorable action upon this matter.

October 3, 2005

PRESENTATION OF PREFILED RESOLUTIONS BY COUNCIL MEMBERS:

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR GIZA, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER RUFFINO, TO WIT:

RESOLVED, that the minutes of the Regular Meeting of the Town Board held
September 19, 2005 be and are hereby approved.

The question of the adoption of the foregoing resolution was duly put to a vote on
roll call which resulted as follows:

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPNIAK	ABSTAINED
SUPERVISOR GIZA	VOTED YES

October 3, 2005

File: RMIN (P2)

THE FOLLOWING RESOLUTION WAS OFFERED BY
SUPERVISOR GIZA, WHO MOVED ITS
ADOPTION, SECONDED BY COUNCIL
MEMBER STEMPIAK, TO WIT:

WHEREAS, the Highway Superintendent has requested to have Timothy Gwarek, a Seasonal, part time employee in his department, be appointed to a Regular, part time position in his department, and

WHEREAS, there are employees who are out on sick leave necessitating this appointment.

**NOW, THEREFORE, BE IT
RESOLVED**, as follows:

SECTION 1: That Timothy Gwarek be and is hereby appointed to the position of Regular, part time employee, in the Highway Department of the Town of Lancaster, effective October 3, 2005, at an hourly rate of \$8.50.

SECTION 2: That this appointment, being a part time position, provides no health insurance, sick days, vacation or other fringe benefits not specifically mandated for part time employees.

SECTION 3: The number of work hours can not exceed 19.75 hours per week.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

October 3, 2005

File: Rperstc.p.1

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR GIZA, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER MONTOUR, TO WIT:

WHEREAS, the General Crew Chief, by letters to the Supervisor, has requested the appointment of seasonal employees in the Parks, Recreation and Forestry Department of the Town of Lancaster for the fall/winter season of 2005-2006,

NOW, THEREFORE, BE IT

RESOLVED, that the following individuals be and are hereby appointed to the position of seasonal employees for the fall/winter season of 2005-2006 in the Parks, Recreation and Forestry Department of the Town of Lancaster, with no benefits at the following hourly rate and with noted effective dates:

<u>NAME</u>	<u>POSITION</u>	<u>RATE</u>
Danielle Cummings 47 Nardin Drive, Depew	Lifeguard (effective 10/03/05)	\$8.25 hr.
Samantha Wlostowski 104 Olmstead Avenue, Depew	Lifeguard (effective 9/26/05)	\$8.25 hr.
Matthew Steimer 79 Court Street, Lancaster	Laborer (effective 10/03/05)	\$8.75 hr.
Shawn Zaffram 28 Tanglewood Drive, Lancaster	Laborer (effective 10/03/05)	\$9.25 hr.
Timothy Kennuth 36 Lakeside Crescent, Lancaster	Recreation Attendant (effective 10/03/05)	\$9.25 hr.

BE IT FURTHER

RESOLVED, that the Supervisor of the Town of Lancaster take the necessary action with the Personnel Officer of the County of Erie to accomplish the foregoing.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

October 3, 2005

File: Rpers.seasonal (P12)

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER MONTOUR, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER RUFFINO, TO WIT:

RESOLVED: that Robert H. Giza as Supervisor of the Town of Lancaster, or such person's successor in office, is hereby authorized and directed to file an application for 50% matching funds in an amount not to exceed \$7,500, and upon approval of said request to enter into and execute a project agreement with the New York State Department of Environmental Conservation for such financial assistance to the Town of Lancaster for the Town of Lancaster 2006 Tree Planting Program.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

October 3, 2005

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER MONTOUR, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER RUFFINO, TO WIT:

WHEREAS, the Town Board of the Town of Lancaster has heretofore held a public hearing pursuant to Chapter 50, Zoning, Section 50-24, "Light Industrial District" of the Code of the Town of Lancaster, upon the application of **Besroi Construction Corporation**, for a Special Use Permit for an outdoor storage lot to store recreational vehicles (motor homes, boats, campers) on premises located at 5434 Genesee Street, Lancaster, New York, and

WHEREAS, persons for and against such Special Use Permit have had an opportunity to be heard;

NOW, THEREFORE, BE IT

RESOLVED, that pursuant to Chapter 50, Zoning, Section 50-24 "Light Industrial District" of the Code of the Town of Lancaster, the Town Board of the Town of Lancaster does hereby grant a Special Use Permit for an outdoor storage lot to store recreational vehicles (motor homes, boats, campers) on premises locally known as 5434 Genesee Street, in the Town of Lancaster, New York, upon the terms and conditions as set forth in the Zoning Ordinance of the Town of Lancaster.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

October 3, 2005

File: specialusebesroiroofing&sidning905a

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR GIZA, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER STEMPIAK, TO WIT:

WHEREAS, the Town Line Volunteer Fire Department, Inc., by letter dated
April 14, 2005, has requested the addition of members to the roster of said fire association.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby confirms
the addition to the membership of the Town Line Volunteer Fire Department the following
individuals:

ADDITIONS:

Thomas J. Kessler
45 Glendale Drive
Lancaster, New York

Joseph A. Ludwig III
5079-43 Reiter Road
East Aurora, New York

The question of the adoption of the foregoing resolution was duly put to a vote
on roll call which resulted as follows:

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

October 3, 2005

File: RFIRE (P3)

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR GIZA, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER AMATURA, TO WIT:

WHEREAS, the Twin District Volunteer Fire Company, Inc., by letter dated September 26, 2005, has requested the addition of members to the roster of said fire association.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby confirms the addition to the membership of the Twin District Volunteer Fire Company the following individuals:

ADDITION:

Katie Melonson
13 Cambridge Court
Lancaster, New York

Michael Kowulski
4 Hidden Trail
Lancaster, New York

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

October 3, 2005

File: RFIRE (P4)

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR GIZA, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER MONTOUR, TO WIT:

WHEREAS, the Municipal Home Rule Law of the State of New York and Chapter 26 of the Code of the Town of Lancaster provide for the adoption and enactment of local laws, and

WHEREAS, the proposed Local Law of the Year 2005 entitled "NONCONFORMING USES" repealing and deleting Section 50-31 (C) (2) (a) "Restoration of a damaged use or structure" of Chapter 50, "Zoning" of the Code of the Town of Lancaster, and enacting in place thereof a new Section 50-31 (C) (2) (a), was introduced to the Town Board of the Town of Lancaster on the 19th day of September, 2005, and

WHEREAS, a Public Hearing was duly called and held pursuant to law on October 3, 2005;

NOW, THEREFORE, BE IT

ENACTED by the Town Board of the Town of Lancaster, a Local Law of the Year 2005, entitled "NONCONFORMING USES" repealing and deleting Section 50-31 (C) (2) (a) of Chapter 50, "Zoning" of the Code of the Town of Lancaster and enacting in place thereof a new Section 50-31 (C) (2) (a) which reads as follows:

**CHAPTER 50
ZONING
SECTION 50-31 (C) (2) (A)
LOCAL LAW NO. 5
OF THE YEAR 2005**

A LOCAL LAW ENTITLED "NONCONFORMING USES" TO AMEND THE TOWN CODE OF THE TOWN OF LANCASTER BY REPEALING AND DELETING SECTION 50-31 (C) (2) (A) OF CHAPTER 50 "ZONING" AND ENACTING IN PLACE THEREOF A NEW SECTION 50-31 (C) (2) (A).

BE IT ENACTED by the Town Board of the Town of Lancaster, as follows:

The Code of the Town of Lancaster is hereby amended by repealing and deleting Section 50-31 (C) (2) (a) entitled "Restoration of a damaged use or structure." of Chapter 50, "Zoning", and enacting in place thereof by a Local Law of the Year 2005 the following:

§50-31 (C) (2) Restoration of a damaged use or structure.

(a) 1) If a nonconforming use or structure is destroyed or damaged by fire, other casualty, act of God or by the public enemy to the extent of less than 50% of its value immediately prior to the occurrence, it may thereafter be reconstructed or repair and occupied.

2) If a nonconforming use or structure in the nature of a two family dwelling is destroyed or damaged by fire, other casualty, act of God, or act of the public enemy even where the damage is greater than 50% of the value prior to the occurrence it can thereafter be reconstructed, repaired, renovated and reoccupied as such nonconforming use.

3) In all other cases, the nonconforming use shall be terminated and any nonconforming structure shall be terminated and any nonconforming structure shall be demolished.

4) Application for a building permit to repair, replace or reconstruct a partially destroyed or damaged use or structure as herein authorized must be made within one year of the occurrence, and the repair, replacement or reconstruction must be completed within six months following the issuance of the permit, or the nonconforming status of the use or structure shall be terminated, and any nonconforming structure then remaining shall be demolished.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Clerk of the Town of Lancaster shall:

1. Immediately post a copy of Local Law No. 5 of the Year 2005 on the Town Bulletin Board.

2. Within ten (10) days, publish a certified copy of the Local Law abstract thereof describing the same in general terms in the Lancaster Bee, declared the official newspaper for this publication;

3. Maintain a file in the Town Clerk's Office on Local Law No. 5 of the Year 2005, with all proofs of publication and posting required for adoption, and

4. File certified copies of Local Law No. 5 of the Year 2005 within ten (10) days of adoption with:

- a) Town Clerk's office
- b0 One (1) copy with the Office of the Secretary of State.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

October 3, 2005

File: r:locallawamendnonconforminguse905a

**LEGAL NOTICE
NOTICE OF ADOPTION
LOCAL LAW OF THE YEAR 2005
TOWN OF LANCASTER**

PLEASE TAKE NOTICE that there has been adopted by the Town Board of the Town of Lancaster, Erie County, New York, on October 3, 2005, Local Law No. 5 of the Year 2005, entitled "NONCONFORMING USES" which repeals and deletes Section 50-31 (C) (2) (a) of Chapter 50, "Zoning" of the Code of the Town of Lancaster and enacting in place thereof a new Section 50-31 (C) (2) (a), briefly described as follows:

**"A LOCAL LAW ENTITLED "NONCONFORMING USES"
WHICH REPEALS AND DELETES SECTION 50-31 (C) (2) (A) OF
CHAPTER 50, "ZONING" AND ENACTS IN PLACE THEREOF A
NEW SECTION 50-31 (C) (2) (A)."**

**TOWN BOARD OF THE
TOWN OF LANCASTER**

**By: JOHANNA M. COLEMAN
Town Clerk**

October 3, 2005

File: localawamendnonconforminguse905a

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR GIZA, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER RUFFINO, TO WIT:

WHEREAS, the Municipal Home Rule Law of the State of New York and Chapter 26 of the Code of the Town of Lancaster provide for the adoption and enactment of local laws, and

WHEREAS, after review and consideration, the Town Board of the Town of Lancaster deems it in the public interest to enact a Local Law of the Year 2005, entitled "HOME OCCUPATIONS/OFFICE OF RESIDENT PROFESSIONAL", which will amend Chapter 50, Zoning, of the Code of the Town of Lancaster by repealing, in its entirety, Section 50-17 (F), "Home occupations." and Section 50-17 (G), "Office of resident professional.", and replacing it with a new Section 50-17 (F) and a new Section 50-17 (G), which shall read as follows:

CHAPTER 50
ZONING
SECTION 50-17 (F), HOME OCCUPATIONS and
SECTION 50-17 (G) OFFICE OF RESIDENT PROFESSIONAL
PROPOSED LOCAL LAW OF THE YEAR 2005

A LOCAL LAW ENTITLED "HOME OCCUPATIONS/OFFICE OF RESIDENT PROFESSIONAL" TO AMEND CHAPTER 50, ZONING, OF THE CODE OF THE TOWN OF LANCASTER BY REPEALING, IN ITS ENTIRETY, SECTION 50-17 (F), "HOME OCCUPATIONS." AND SECTION 50-17 (G), "OFFICE OF RESIDENT PROFESSIONAL.", AND REPLACING IT WITH A NEW SECTION 50-17 (F) AND A NEW SECTION 50-17 (G).

BE IT ENACTED, by the Town Board of the Town of Lancaster as follows:

Section 1.

The Code of the Town of Lancaster, Chapter 50, Zoning, Section 50-17 (F) and Section 50-17 (G) is hereby amended by Local Law of the Year 2005 as follows:

§50-17 (F) Home occupations.

1) A special use permit shall be required for any home occupation proposed by a Town resident in his or her home. Such permit shall be issued by the Town Board for a period of two years only after a public hearing advertised in the manner required by the Town Law. The permit may be renewed upon request in writing delivered to the Town Clerk by the resident and after an inspection by the Town Building Inspector's office to determine compliance with the conditions as set out in the approval of the home occupation permit as originally issued.

2) Home occupation permits shall be issued upon the following conditions which relate to the health, safety and welfare of the surrounding community:

- a) Only persons residing on the premises shall be engaged in such an occupation.
- b) The home occupation shall be clearly incidental and subordinate to the use of the premises for residential purposes. The area devoted to the home occupation shall not exceed 25% of the ground floor area of the principal structure. It may be within the principal or accessory structure.
- c) There shall be no change in the outside appearance of the building or premises or other visible evidence of the conduct of such home occupation.
- d) No equipment or process shall be used which creates noise, vibration, glare, fumes, odors or electrical interference perceptible to the normal senses off the lot.

- 3) The Town Board may establish additional conditions and restrictions as it deems necessary to protect the general health, welfare and safety of the surrounding community.

and

Section 51-17(G) Office of resident professional.

- 1) A special use permit shall be issued by the Town Board for a two year period only after a public hearing advertised in the manner required by the Town Law. The special use permit may be renewed upon request in writing to the Town Clerk by the resident professional and after an inspection by the Town Building Inspector's office to determine compliance with the conditions as set out in the approval of the special use permit as originally issued.
- 2) The following conditions shall apply to the issuance of all special use permits for resident professional.
 - a) The residential professional office shall be clearly incidental and subordinate to the use of the premises for residential purposes.
 - b) The area devoted to the resident professional office shall not exceed 25%
 - c) The resident professional may have only one employee, assistant or associate.
 - d) Off-street or other available legal parking spaces shall be provided in addition to driveways and any private garage or parking area according to the profession involved and the requirements of §50-28 of this ordinance. The location thereof shall be determined by the Town Board. The location thereof shall be that which has the least negative impact on adjacent properties. Screening of the parking by fences, vegetation or other appropriate material shall be provided so as to assure privacy for adjacent land uses with visual, noise and air quality factors considered.

- c) One unlighted sign of not more than two square feet in size identifying the resident and the profession attached flat against the building shall be permitted.

3) The Town Board may establish additional conditions and restrictions as it deems necessary to protect the general health, welfare and safety.

NOW, THEREFORE, BE IT

RESOLVED, as follows:

1. That pursuant to the Municipal Home Rule Law of the State of New York and Chapter 26 of the Code of the Town of Lancaster, a Public Hearing on the proposed Local Law of the Year 2005, entitled "Home Occupations/Office of Resident Professional" which Local Law will amend Chapter 50, Zoning, of the Code of the Town of Lancaster by repealing, in its entirety, Section 50-17 (F), "Home occupations." and Section 50-17 (G), "Office of resident professional.", and replacing it with a new Section 50-17 (F) and a new Section 50-17 (G) of the Code of the Town of Lancaster, will be held at the Town Hall, 21 Central Avenue, Lancaster, New York, at 8:40 o'clock P.M., Local Time, on the 17th day of October, 2005, and that Notice of the Time and Place of such Hearing shall be published on October 6, 2005, in the Lancaster Bee, being a newspaper of general circulation in said Town and posted on the Town Bulletin Board, which Notice shall be in the form attached hereto and made a part hereof, and

2. That the Town Clerk is hereby directed to make copies of this proposed Local Law for the Year 2005, entitled "Home Occupations/Office of Resident Professional" available for inspection by and distribution to any person during business hours.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

October 3, 2005

**LEGAL NOTICE
PUBLIC HEARING
TOWN OF LANCASTER**

LEGAL NOTICE IS HEREBY GIVEN, that pursuant to the Municipal Home Rule Law of the State of New York and Chapter 26 of the Code of the Town of Lancaster and pursuant to a resolution of the Town Board of the Town of Lancaster, adopted October 3, 2005, the said Town Board will hold a Public Hearing on the 17th day of October, 2005 at 8:40 o'clock P.M., Local Time, at the Town Hall, 21 Central Avenue, Lancaster, New York, to hear all interested persons upon a proposed Local Law of the Year 2005, entitled "Home Occupations/Office of Resident Professional", which Local Law will amend Chapter 50, Zoning, of the Code of the Town of Lancaster by repealing, in its entirety, Section 50-17 (F), "Home Occupations." and Section 50-17 (G), "Office of Resident Professional.", and replacing it with a new Section 50-17 (F) and a new Section 50-17 (G), briefly described as follows:

**"A LOCAL LAW ENTITLED "HOME OCCUPATIONS/OFFICE OF
RESIDENT PROFESSIONAL" TO AMEND CHAPTER 50, ZONING, OF THE
CODE OF THE TOWN OF LANCASTER BY REPEALING, IN ITS ENTIRETY,
SECTION 50-17 (F), "HOME OCCUPATIONS." AND SECTION 50-17 (G),
"OFFICE OF RESIDENT PROFESSIONAL" AND REPLACING IT WITH A
NEW SECTION 50-17 (F) AND A NEW SECTION 50-17 (G)."**

A complete copy of this proposed Local Law of the Year 2005, entitled "Home Occupations/Office of Resident Professional", and designated as Section 50-17 (F) and Section 50-17 (G) of Chapter 50, Zoning of the Code of the Town of Lancaster, is available at the office of the Town Clerk for inspection and distribution to any person during business hours.

Full opportunity to be heard will be given to any and all citizens and all parties in interest.

**TOWN BOARD OF THE
TOWN OF LANCASTER**

By: **JOHANNA M. COLEMAN**
Town Clerk

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER STEMPIAK, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER MONTOUR, TO WIT:

WHEREAS, Uniland Development Company has requested that the Town Board grant a two year extension for the site plan approval for Buildings A and H at the Eastport Commerce Center located at 4106 Walden Avenue and 502 Pavement Road, and

WHEREAS, the Town Code Section 50-43 (C) (5) provides that the Town Board may grant an extension of the original two year time limitation for commencement of development from the date of approval of a site plan, and

WHEREAS, the Town Board has given due review and consideration to the request for extension;

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster using the authority granted to it under Section 50-43 (C) (5) hereby extends the two year statutory approval on the site plan previously approved for Uniland Development Company at the Eastport Commerce Center for Buildings A and H located at 4106 Walden Avenue and 502 Pavement Road to a date two years from the date of this resolution.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

October 3, 2005

File: runilandsiteplanextension1005

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER RUFFINO, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER STEMPIAK, TO WIT:

WHEREAS, the Town Board has previously duly advertised for bids for the removal and replacement of the roof on the Town's storage building which also houses the Lancaster Radio Club, known as Building No. 28, and

WHEREAS, bids were received, opened and reviewed on September 22, 2005, and

WHEREAS, the General Crew Chief, by letter dated September 22, 2005, has recommended award of the bid to QUALITY ALUMINUM II, being the lowest responsible bidder in the amount of \$28,000.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby awards the bid for the removal and replacement of the roof on the Town's storage building to QUALITY ALUMINUM II, 87 Holland Avenue, Lancaster, New York 14086 in the amount of \$28,000, being the lowest responsible bidder in conformance with the specifications on file in the office of the Town Clerk.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

October 3, 2005

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR GIZA, WHO
MOVED IT'S ADOPTION, SECONDED BY
COUNCIL MEMBER RUFFINO, TO WIT:

WHEREAS, §1660 (18) Vehicle and Traffic Law permits the Town to designate the location of stop signs and no-passing zones affecting town roads outside of the Villages of Lancaster and Depew, and

WHEREAS, the Town Board of the Town of Lancaster deems it in the public interest to make certain amendments to the Town Ordinance entitled, "VEHICLE AND TRAFFIC ORDINANCE OF THE TOWN OF LANCASTER, COUNTY OF ERIE, STATE OF NEW YORK, DESIGNATED AS CHAPTER 46 OF THE CODE OF THE TOWN OF LANCASTER",

NOW, THEREFORE, BE IT

RESOLVED, that pursuant to Section 130 of the Town Law of the State of New York, a public hearing on proposed amendments to the Vehicle & Traffic Ordinance, Chapter 46 of the Code of the Town of Lancaster, County of Erie and State of New York, will be held at the Town Hall, 21 Central Avenue, Lancaster, New York, on the 17th day of October 2005, at 8:45 o'clock P.M., Local Time, and that Notice of the Time and Place of such hearing be published on or before October 6, 2005, in the Lancaster Bee, the Official Newspaper, being a newspaper of general circulation in said Town, and be posted on the Town Bulletin Board, which Notice shall be in the form attached hereto and made a part hereof.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

October 3, 2005

LEGAL NOTICE
PUBLIC HEARING
AMENDMENT TO VEHICLE & TRAFFIC ORDINANCE
TOWN OF LANCASTER, COUNTY OF ERIE, STATE OF NEW YORK
DESIGNATED AS CHAPTER 46 OF CODE OF TOWN OF LANCASTER

LEGAL NOTICE IS HEREBY GIVEN that pursuant to the Town Law of the State of New York, and pursuant to a resolution of the Town Board of the Town of Lancaster, adopted on the 3rd day of October, 2005, the said Town Board will hold a Public Hearing on the 17th day of October, 2005, at 8:45 o'clock P.M., Local Time, at the Town Hall, 21 Central Avenue, Lancaster, New York, to hear all persons upon the following amendments to the Vehicle and Traffic Ordinance of the Town of Lancaster, Erie County, New York, designated as Chapter 46 of the Code of said Town:

CHAPTER 46

**Article VIII, STOP INTERSECTIONS; NON-INTERSECTION
STOPS; YIELD INTERSECTIONS**

**46-8.1 Stop Intersections designated, is hereby amended by adding
thereto the following:**

GLEN HOLLOW SUBDIVISION

<u>STREET NAME</u>	<u>INTERSECTING STREET</u>	<u>SIGN LOCATION</u>
Michaels Walk	Glen Hollow	N.E. Corner
Michaels Walk	Glen Hollow	S.W. Corner

Full opportunity to be heard will be given to any and all citizens and all parties in interest.

**TOWN BOARD OF THE
TOWN OF LANCASTER**

By: **JOHANNA M. COLEMAN**
Town Clerk

October 3, 2005

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR GIZA, WHO MOVED ITS
ADOPTION, SECONDED BY COUNCIL
MEMBER MONTOUR, TO WIT:

RESOLVED, that the following Audited Claims be and are hereby ordered paid
from their respective accounts as per abstract to be filed in the Office of the Town Clerk by the
Director of Administration and Finance, to wit:

Claim No. 17603 to Claim No. 17775 Inclusive

Total amount hereby authorized to be paid: \$286,362.70

The question of the foregoing resolution was duly put to a vote on roll call
which resulted as follows:

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

October 3, 2005

File: Reclaims

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER STEMPNIAK, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER RUFFINO, TO WIT:

TABLED PERMIT:

13241 Kids Korner 2655 Wehrle Dr Er. Sign-Temp

RESOLVED that the following Building Permit applications be and are hereby
reaffirmed:

CODES:

(SW) = Sidewalks as required by Chapter 12-1B. of the Code of the Town Lancaster are
waived for this permit.

(CSW) = Conditional sidewalk waiver.

(V/L) = Village of Lancaster

NEW PERMITS:

13268	United Refining	5843 Broadway	Er. Shed	
13273	Duro-Shed Inc	13 Michael's Walk	Er. Shed	
13274	Duro-Shed Inc	94 Kennedy Ct	Er. Shed	
13275	Pyjus, Robert	54 Cedar Brook Dr	Er. Deck	
13276	Parco Building Systems	144 Peppermint Rd	Er. Pole Barn	
13277	Frauenhofer, David	19 Pinetree Dr	Er. Shed	
13278	Decks Etc	5538 Broadway	Er. Deck	(V/L)
13279	Duro-Shed Inc	5 Beatrix Cir	Er. Shed	
13280	Grandview Const.	2249 Como Park Blvd	Er. Res. Add.	(V/L)
13281	Premier Fence	4 Peachtree Ct	Er. Fence	
13282	Iroquois Fence Inc	7 Summerfield Dr	Er. Fence	
13283	Bradshaw, Evelyn	62 Kennedy Ct	Er. Shed	
13284	Duro-Shed Inc	23 Ashwood Ct	Er. Shed	
13285	Yuhnke, John	5080 William St	Er. Shed	
13286	Duro-Shed Inc	103 Pleasant View Dr	Er. Shed	
13287	Colley's Pool Sales	4 Buckingham Ct	Er. Fence	
13288	Colley's Pool Sales	4 Buckingham Ct	Er. Pool-In Grnd	
13289	Lancaster-Rehm Assoc.	6375 Transit Rd	Er. Sign-Temp	
13290	Czosck, Michael	105 Westwood Rd	Er. Res. Add.	
13291	Khangi, George	209 Enchanted Forest	Er. Shed	
13292	Swimco Mfg	24 Ashwood Ct	Er. Pool-In Grnd	
13293	Swimco Mfg	22 Ashwood Ct	Er. Fence	
13294	Mordeno Const. Co	22 Rehm Rd	Er. Dwlg.-Sin.	
13295	Duro-Shed Inc	43S Irvinwood Rd	Er. Shed	(V/L)
13296	Drabik, William	44 Signal Dr	Er. Shed	
13297	Premier Fence	318 Enchanted Forest	Er. Fence	
13298	Essex Homes	29 Americo Ct	Er. Dwlg.-Sin.	

13299	Charma, Anjale	5 Quail Hollow	Er. Shed	
13300	Carl & Bo's Pizza	4779 Transit Rd	Er. Sign-Temp	
13301 SW	Fleck, Roy	174 Ransom Rd	Er. Dwlg.-Sin.	
13302	Fleck, Roy	174 Ransom Rd	Er. Shed	
13303	Expert Fence Co	1711 Como Park Blvd	Er. Fence	
13304	Duro-Shed Inc	639 Erie St	Er. Shed	
13305	Colley's Pool Sales	69 Briarwood Dr	Er. Pool-In Grnd	(V/L)
13306	Kulback's Const.	6687 Transit Rd	Er. Comm. Bldg.	
13307	Duro-Shed Inc	11 Idlebrook Ct	Er. Shed	
13308	Warmus, Richard	5868 Broadway	Er. Sign	
13309	Inlightcn	11W Main St	Inst. Doors	(V/L)
13310	Carrow, Rena	5825 Genesee St	Er. Deck	
13311	Sun Enterprises Inc	46S Irvinwood Rd	Er. Shed	(V/L)
13312	Janiszewski, David	1215 Penora St	Er. Garage	
13313	All Craft Inc	85 Harvey Dr	Er. Res. Alt.	(V/L)
13314	Sun Enterprises Inc	30 Beatrix Cir	Er. Shed	
13315	Shepard, Randall Sr	198 Enchanted Forest	Er. Shed	
13316	Mahony, Sue	11 Broadmoor Ct	Er. Shed	
13317	City Fence Inc	6407 Genesee St	Er. Fence	
13318	Guida, James	6425 Transit Rd	Er. Sign-Temp	
13319	Kulback's Construction	6687 Transit Rd	Er. Comm. Bldg.	
13320	Jim's Electric & Const.	6699 Transit Rd	Er. Comm. Bldg.	
13321	Sun Enterprises Inc	1095 Ransom Rd	Er. Shed	
13322	Graffiti Graphics	5247 Broadway	Er. Sign	(V/L)

BE IT FURTHER

RESOLVED, that the Building Permit Applications herein coded (SW) for sidewalk waiver be and are hereby reaffirmed with a waiver of the Town Ordinance requirement for sidewalks, and

BE IT FURTHER

RESOLVED, that the Building Permit Applications herein coded (CSW) for conditional sidewalk waiver be and are hereby reaffirmed with a waiver of the Town Ordinance required for sidewalks, however, the waiver is granted upon the expressed condition that the Town of Lancaster, at any future date, reserves the right to order sidewalk installation at the expense of the property owner.

The question of the adoption of the following resolution was duly put to a vote on roll call which resulted as follows

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOUT	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

October 3, 2005

SUSPENDED RESOLUTIONS:

Supervisor Giza requested a suspension of the necessary rules for immediate consideration of the following resolutions:

Council Member Ruffino moved to suspend the necessary rules for immediate consideration of the following resolutions, seconded by Council Member Montour, which resulted as follows:

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

SUSPENSION GRANTED

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR GIZA, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER RUFFINO, TO WIT:

WHEREAS, the Lancaster Town Band a not for profit corporation, has offered to construct a band shell on Town owned property at the Senior Citizens Center at 100 Oxford Avenue at no cost to the Town, and

WHEREAS, the Town Board has given due review and consideration to the offer made by the Town Band and deems it in the public interest to accept this offer which will provide for a concert venue for the Town Band and for other events, with the Town Band having the first right to use the band shell; and

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby authorizes the Supervisor to enter into an agreement with the Lancaster Town Band, a not for profit corporation, by which the Lancaster Town Band would construct a band shell on Town property situate at 100 Oxford Avenue in the vicinity of the Senior Citizen Center and Youth Bureau.

The question of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

October 3, 2005

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER STEMPNIAK, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER MONTOUR, TO WIT:

WHEREAS, NEC Transit William, LLC has requested that the Town Board of the Town of Lancaster confirm that the Town will accept a transfer of title to property within the Town of Lancaster identified as the "northern mitigation area" on the federal wetland permit authorized by the USACOE for the proposed Gateway Center Development at the northeast corner of Transit Road and William Street, and

WHEREAS, the mitigation plan requires the preservation of a 10.15 acre wetland area on land immediately north of the project site which is owned by NEC Transit/William, LLC, and

WHEREAS, the Town Board after due review and consideration deems it appropriate to confirm to NEC Transit/William, LLC that the Board will accept title to the beforementioned northern mitigation area as recited hereinabove in support of the development of the project site known as the Gateway Center;

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby authorizes the Supervisor of the Town of Lancaster to so notify the developer NEC Transit/William, LLC that it will accept title to the "northern mitigation area", which is that area identified as a 10.15 acre wetland immediately north of the project site, which must be preserved as a wetland area pursuant to the conditions in the federal wetland permit which is authorized by action of the US Corp of Engineers (USACOE).

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

October 3, 2005

File: mectransitwilliamllc1005

COMMUNICATIONS & REPORTS:

497. Chief, Town Line Fire Dept. to Planning Board Chairman -
Letter expressing concerns regarding proposed Plum Creek Commerce Center.
DISPOSITION = Planning Committee
498. Highway Superintendent to Town Board -
Letter requesting employment extension of part-time employee. DISPOSITION =
Resolution 10/3/05
499. NYS DOT to Town Attorney -
Notification of Lead Agency Designation regarding proposed Plum Creek Commerce
Center; comments noted. DISPOSITION = Planning Committee
500. Executive Director, Youth Bureau to Town Board -
Letter of support regarding proposed band shell located in Oxford Park.
DISPOSITION = Received & Filed
501. Board of Trustees, Lancaster Public Library to Town Board -
Notification of closing of Depew Branch Library effective December 16, 2005.
DISPOSITION = Received & Filed
502. General Crew Chief to Town Board -
Request resolution awarding contract for roof removal and replacement of Building
#28 to Quality Aluminum II. DISPOSITION = Resolution 10/3/05
503. NYS DOT to Town Attorney -
Notice of no comments regarding final plat plan for Country Club Gardens,
Broadway and Pavement. DISPOSITION = Planning Committee
504. NYS DOT to Town Attorney -
Notice of no comments regarding final plat plan for Pleasant Meadows Subdivision.
DISPOSITION = Planning Committee
505. NYS Office of Real Property Services to Supervisor -
Notification for receipt of 2005 Triennial Aid Assistance application.
DISPOSITION = Received & Filed
506. U.S. Department of Commerce, National Oceanic and Atmospheric Administration to
Town Board -
Letter of appreciation of contribution of Lancaster Emergency Management to Open
House. DISPOSITION = Received & Filed
507. Captain Riccardo M. Zuppelli to Supervisor -
Request ordinance to place stop signs N.E. and S.W. corners of Michaels Walk and
Glen Hollow. DISPOSITION = for Public Hearing 10/17/05
508. Russ Luke to Town Board -
Concerns regarding proposed development east side of Transit Road north of
Genesee Street. DISPOSITION = Zoning Board of Appeals & Planning Board
509. Town of Cheektowaga to Town Board -
Notice of SEQR Negative Declaration regarding proposed Target Retail Plaza,
Transit Road and Losson Road. DISPOSITION = Received & Filed
510. Trustees, Lancaster Public Library to Town Board -
Transmittal of resolution to close Depew Branch Library effective December 16,
2005. DISPOSITION = Received & Filed
511. Village of Lancaster to Town Board -
Minutes of official meeting held September 12, 2005. DISPOSITION = Received &
Filed
512. Town of Amherst to Town Board -
Transmittal of Local Law providing for registration of certain sex offenders in the
Town of Amherst. DISPOSITION = Police Chief

513. Cathleen Pijacki to Town Board -
Concerns regarding proposed development east side of Transit Road north of
Genesee Street. DISPOSITION = Zoning Board of Appeals & Planning Board
514. John Herdzik to Town Clerk -
Request for approval of proposed rezone of 4745 William Street, Gourmet Grocery
Store. DISPOSITION = Planning Committee
515. General Crew Chief to Supervisor -
Request resolution to appoint lifeguards. DISPOSITION = Resolution 10/3/05
516. General Crew Chief to Supervisor -
Request resolution to appoint seasonal employees. DISPOSITION = Resolution
10/3/05
517. Twin District Fire Company to Town Board -
Request for change in roster. DISPOSITION = Resolution 10/3/05
518. Greater Buffalo-Niagara Regional Transportation Council to Town Board -
Notice of meeting to be held October 12, 2005, 9:30 AM, in Cheektowaga.
DISPOSITION = Town Engineer
519. Erie County Department of Emergency Services to Supervisor -
Notice of design and construction of NYS public safety radio network project.
DISPOSITION = Emergency Management

ADJOURNMENT:

**ON MOTION OF COUNCIL MEMBER AMATURA, SECONDED BY COUNCIL
MEMBER STEMPIAK AND CARRIED, the meeting was adjourned at 11:25 P.M.**

Signed


Johanna M. Coleman, Town Clerk